REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1, 7, 8, 10, 12, 15, 16, 18-21, 24, and 25 have been amended. Claims 2-6, 9, 11, 13, 14, 17, 22, 23, 26-33 have been cancelled. Claims 34-43 have been added. Applicants respectfully submit that no new matter has been added to the claims. Claims 1, 7, 8, 10, 12, 15, 16, 18-21, 24, 25, and 34-43 are now pending in this application.

I. Rejection of Claim 23 Under 35 U.S.C. § 112, first paragraph

In Section 4 of the Office Action, Claim 23 was rejected under 35 U.S.C. § 112, first paragraph. Claim 23 has been canceled rendering this rejection moot.

II. Rejection of Claims 1-2, 5-9, and 29-32 Under 35 U.S.C. § 102(e)

In Section 5 of the Office Action, Claims 1-2, 5-9, and 29-32 were rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 6,237,145 to Narasimhan et al. (Narasimhan). Claim 2, 5, 6, 9, and 29-32 have been canceled rendering these rejections moot. Applicants respectfully traverse the rejection of Claims 1, 7, and 8 because Narasimhan fails to teach, suggest, or disclose all of the elements of Claims 1, 7, and 8.

Claims 7 and 8 depend from Claim 1. Claim 1, as amended, recites in part:

> receiving a first selection of at least one of the words or phrases in the first menu list from the second device, the received first selection identifying a concept for a query to be formed;
>
> . . .
>
> identifying a second menu list of words or phrases based on the received first selection and the accessed user profile information;

Narasimhan describes a "system for accessing and displaying promotion information and for generating redeemable coupons based on at least one of the accessed promotions stores promotion information records each of which includes an electronic coupon offer and information in connection with a product/service a merchant sells states." (Abstract). Narasimhan states :

> Typically, and as seen in FIG. 3, such selection would result in the display of one of several sub-menus 144S listing more

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specific choices from which the user could select. For example, a dining sub-menu 144S may list different types of restaurants (e.g. fast food, sandwich shops, luncheonettes, etc.) and/or different types of available food (e.g., Italian, French, Chinese, Southern, Kosher). As may be understood, the user works his or her way through the hierarchical structure of menus until he or she can actually view and/or listen to promotion information records for each of several available products/services. Preferably, and as seen in FIG. 3, each sub-menu 144S in the system contains options that the user may employ to navigate the hierarchical structure and to obtain answers to queries regarding the use of the system.

Preferably, in any sub-menu, the order of presentation of the choices that the user may select from is based on the user profile for the user. For example, if the user profile for the user indicates that the user usually chooses a first store and almost never chooses a second, similar store, the user profile for the user would require that the first store be listed or ordered before the second store if both stores appear in the same sub-menu.

(Col. 5, line 51 – Col. 6, line 12, with emphasis added through underlining). Narasimhan further states that "[b]ased on the user profile for a particular user, that user is guided to but not limited in browsing the promotions." (Col. 4, lines 48-49).

Thus, Narasimhan teaches browsing of a hierarchical structure such that **an order of presentation of items** in menus may be modified based on a user profile. However, Narasimhan fails to teach at least "identifying a second menu list of words or phrases based on the received first selection and the accessed user profile information" as recited in Claim 1.

Therefore, Narasimhan fails to teach, suggest, or disclose all of the elements of Claim 1. An anticipation rejection cannot be properly maintained where the reference used in the rejection does not disclose all of the recited claim elements. As a result, Applicants respectfully request withdrawal of the rejection of Claim 1. Claims 7 and 8 depend from Claim 1. Therefore, Applicants also respectfully request withdrawal of the rejection of Claims 7 and 8.

III. Rejection of Claims 1-2, 5-10, 12, and 14-33 Under 35 U.S.C. § 103(a)

In Section 6 of the Office Action, Claims 1-2, 5-10, 12, and 14-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,460,031 to Wilson III et al. (Wilson), in view of US Patent No. 6,736,322 to Gobburu et al. (Gobburu). Claim 2, 5, 6, 9, 14, 17, 22, 23, and 26-33 have been canceled rendering these rejections moot. Applicants respectfully traverse the rejection of Claims 1, 7, 8, 12, 15, 16, 18-21, 24, and 25 because Wilson and Gobburu, alone and in combination, fail to teach, suggest, or disclose all of the elements of Claims 1, 7, 8, 12, 15, 16, 18-21, 24, and 25.

Claims 7, 8, 24, and 25 depend from Claim 1. Claim 1, as amended, recites in part:

> receiving a first selection of at least one of the words or phrases in the first menu list from the second device, the received first selection identifying a concept for a query to be formed;
>
> . . .
>
> identifying a second menu list of words or phrases based on the received first selection and the accessed user profile information;

Claims 15, 16, 18-21 depend from Claim 12. Claim 12, as amended, recites in part:

> receiving a first menu list of words or phrases from a second device, the received first menu list including a plurality of concepts associated with a natural language query to be formed;
>
> . . .
>
> receiving a second menu list of words or phrases from the second device, the second menu list selected based on a user profile associated with the user of the mobile computing device and the identified concept;

Wilson describes a "system for creating and titling reports from a database by using a graphical title bar navigator to create and depict a natural language phrase to query a database and title the resulting report." (Abstract). Wilson states :

> a number of first level graphical icons representing a first set of parameters, or measures, are provided 502 to the user. The user then selects 504 one of these first level graphical icons depending on the desired parameter. Based on this selection, a number of second level graphical icons representing a second

> set of parameters, or dimensions, which narrows the first
> parameter is provided 506. The user then selects 508 one of
> these second level graphical icons. Graphical icons representing
> grammatical connectors are also provided 510. The first level
> graphical icons, the graphical icons representing grammatical
> connectors, and the second level graphical icons are placed in
> juxtaposition 512 to each other to create a combined graphic
> representing the natural language statement. An MDX
> statement corresponding to these selections is generated 514
> and sent 516 to the data storage mechanism. A report is
> returned 518 from the data storage mechanism based on the
> MDX statement. The combined graphic is then used 520 as the
> title for this report.

(Col. 5, line 61 – Col. 6, line 16, with emphasis added through underlining). Thus, Wilson

teaches the presentation of graphical icons successively based on a previous selection.

However, Wilson fails to teach at least "identifying a second menu list of words or phrases

based on the received first selection and the accessed user profile information" as recited in

Claim 1. Wilson also fails to teach at least "receiving a second menu list of words or phrases

from the second device, the second menu list selected based on a user profile associated with

the user of the mobile computing device and the identified concept" as recited in Claim 12.

Gobburu describes a "user is provided with a secure database containing information

in diverse categories that relates to the user and that may be represented at least in part in bar

code form and communicated with light from a mobile communications device." (Abstract).

Gobburu states :

> A profile and schedule matching function 2148 generates
> queries to the My Transactions database based on user profile
> and user schedule information. The inventory and campaign
> management function 2150 generates various queries to
> external databases. For example, the user may request coupons
> for a desired product, or such requests may be generated
> automatically from time to time so that coupons may be
> obtained from vendors which have not registered with and
> which therefore do not push coupon information to the user's
> My Transactions database.

(Col. 22, lines 42 – 59, with emphasis added through underlining). Thus, Gobburu teaches

generation of a query based on a user profile. However, Gobburu fails to teach at least

"identifying a second menu list of words or phrases based on the received first selection and the accessed user profile information" as recited in Claim 1. Gobburu also fails to teach at least "receiving a second menu list of words or phrases from the second device, the second menu list selected based on a user profile associated with the user of the mobile computing device and the identified concept" as recited in Claim 12.

As a result, Wilson and Gobburu both fail to teach, suggest, or describe all of the elements of Claims 1 and 12. An obviousness rejection cannot be properly maintained where the references used in the rejection do not disclose all of the recited claim elements. Therefore, Applicants respectfully request withdrawal of the rejection of Claims 1, 7, 8, 12, 15, 16, 18-21, 24, and 25.

IV. Rejection of Claims 1-2, 5-10, and 23-33 Under 35 U.S.C. § 103(a)

In Section 7 of the Office Action, Claims 1-2, 5-10, and 23-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wilson, in view of Narasimhan. Claim 2, 5, 6, 9, 23, and 26-33 have been canceled rendering these rejections moot. Applicants respectfully traverse the rejection of Claims 1, 7, 8, 24, and 25 because Wilson and Naramsihan, alone and in combination, fail to teach, suggest, or disclose all of the elements of Claims 1, 7, 8, 12, 15, 16, 18-21, 24, and 25. Claims 7, 8, 24, and 25 depend from Claim 1.

As discussed in Section II., Narasimhan fails to teach at least "identifying a second menu list of words or phrases based on the received first selection and the accessed user profile information" as recited in Claim 1. As discussed in Section III., Wilson fails to teach at least "identifying a second menu list of words or phrases based on the received first selection and the accessed user profile information" as recited in Claim 1. As a result, Wilson and Narasimhan both fail to teach, suggest, or describe all of the elements of Claim 1. An obviousness rejection cannot be properly maintained where the references used in the rejection do not disclose all of the recited claim elements. Therefore, Applicants respectfully request withdrawal of the rejection of Claims 1, 7, 8, 24, and 25.

V. Rejection of Claims 12 and 14-22 Under 35 U.S.C. § 103(a)

In Section 8 of the Office Action, Claims 12 and 14-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wilson, in view of Narasimhan, and further in view of

Gobburu. Claim 14, 17, and 22 have been canceled rendering these rejections moot. Applicants respectfully traverse the rejection of Claims 12, 15-16, and 18-21 because Wilson, Naramsihan, and Gobburu, alone and in combination, fail to teach, suggest, or disclose all of the elements of Claims 12, 15-16, and 18-21. Claims 15-16 and 18-21 depend from Claim 12.

As discussed in Section II., Narasimhan fails to teach at least "identifying a second menu list of words or phrases based on the received first selection and the accessed user profile information" as recited in Claim 1. Similarly, Narasimhan fails to teach at least "receiving a second menu list of words or phrases from the second device, the second menu list selected based on a user profile associated with the user of the mobile computing device and the identified concept" as recited in Claim 12. As discussed in Section III., Wilson fails to teach at least "receiving a second menu list of words or phrases from the second device, the second menu list selected based on a user profile associated with the user of the mobile computing device and the identified concept" as recited in Claim 12. As further discussed in Section III., Gobburu fails to teach at least "receiving a second menu list of words or phrases from the second device, the second menu list selected based on a user profile associated with the user of the mobile computing device and the identified concept" as recited in Claim 12. As a result, Wilson, Naramsihan, and Gobburu all fail to teach, suggest, or describe all of the elements of Claim 12. An obviousness rejection cannot be properly maintained where the references used in the rejection do not disclose all of the recited claim elements. Therefore, Applicants respectfully request withdrawal of the rejection of Claims 12, 15-16, and 18-21.

VI. Allowance of Added Claims 34-43

Independent Claim 34 recites:

> receive a first selection of at least one of the words or phrases in the first menu list from the second device, the received first selection identifying a concept for a query to be formed;
>
> access user profile information associated with a user formulating the query;
>
> identify a second menu list of words or phrases based on the received first selection and the accessed user profile information;

Independent Claim 38 recites:

> receiving a first menu list of words or phrases from a second
> device, the received first menu list including a plurality of
> concepts associated with a natural language query to be formed;
>
> receiving a first selection of a first word or phrase from a user
> of the computing device, the received first selection identifying
> a concept selected for the natural language query to be formed;
>
> . . .
>
> receiving a second menu list of words or phrases from the
> second device, the second menu list selected based on a user
> profile associated with the user and the identified concept;

Independent Claim 40 recites:

> sending a first menu list of words or phrases associated with a
> plurality of concepts to a second device;
>
> receiving a first selection of at least one of the words or phrases
> in the first menu list from the second device, the received first
> selection identifying a concept for a query to be formed;
>
> accessing user profile information associated with a user
> formulating the query;
>
> identifying a second menu list of words or phrases based on the
> received first selection and the accessed user profile
> information;

As discussed in Sections II., III., IV., and V., Narasimhan, Wilson, and Gobburu fail
to teach, suggest, or disclose at least "identifying a second menu list of words or phrases
based on the received first selection and the accessed user profile information" as recited in
Claims 34 and 40. Similarly, Narasimhan, Wilson, and Gobburu fail to teach, suggest, or
disclose at least "receiving a second menu list of words or phrases from the second device,
the second menu list selected based on a user profile associated with the user of the mobile
computing device and the identified concept" as recited in Claim 38.

Neither an anticipation rejection nor an obviousness rejection can be properly
maintained where the references used in the rejection do not disclose all of the recited claim
elements. As a result, Applicants respectfully request allowance of Claims 34, 38, and 40.
Because Claims 35-37 depend from Claim 34, Claim 39 depends from Claim 38, and Claims

41-43 depend from Claim 40, Applicants also respectfully request allowance of Claims 35-37, 39, and 41-43.

Applicants also respectfully submit that, in view of the disparate structures and functions of the systems disclosed in Narasimhan, Wilson, and Gobburu, there would not appear to be any suggestion to modify any of the references to achieve the claimed subject matter.

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.
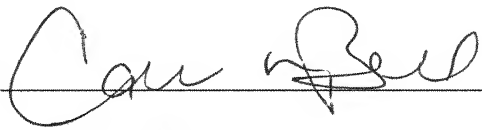
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date <u>November 19, 2007</u>

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